

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ROBERT E. BENNETT,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO. 09-IPJ-717-S
v.	)	
	)	
BIRMINGHAM BOARD OF EDUCATION,	)	
	)	
Defendant.	)	

MEMORANDUM OF OPINION

On July 9, 2010, the Magistrate Judge entered Findings and Recommendation in the above-captioned civil action, recommending that the defendant's motion for summary judgment be granted and this action dismissed with prejudice on the grounds that the plaintiff failed to disclose his then pending EEOC charge and this cause of action in his bankruptcy petition. No objections have been filed by either party pursuant to Rule 72 of the *Federal Rules of Civil Procedure*.

After careful review and a *de novo* consideration of the materials in the court file, including the findings and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation ACCEPTED. Accordingly, the defendant's motion for summary judgment is due to be granted. A Judgment will be entered.

As to the foregoing it is SO ORDERED this the 5<sup>th</sup> day of August, 2010.

  
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INGE PRYTZ JOHNSON  
U.S. DISTRICT JUDGE